

PROOF

STATE OF IOWA

Senate Journal

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JOURNAL OF THE SENATE

EXTRAORDINARY SESSION

FIRST CALENDAR DAY
FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, July 14, 2006

Pursuant to Article III, Section 2 of the Constitution of Iowa, upon the written request of two-thirds of the members of both the Senate and the House of Representatives, convening the Eighty-first General Assembly in Extraordinary Session, the Senate was called to order at 10:07 a.m. by the Honorable Jeff Lamberti, President of the Senate.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa, and the Honorable Doug Shull, member of the Senate from Warren County, Indianola, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate President Jeff Lamberti.

ORGANIZATION OF THE SENATE

Senator Gronstal moved that the selection of seats, determination of mileage of senators, assignment of press seats, and all other organizational or administrative matters not specifically provided for in Joint Rule 3 be the same for this Extraordinary Session as for the 2006 Regular Session of the Eighty-first General Assembly.

The motion prevailed by a voice vote.

SECRETARY TO NOTIFY THE
GOVERNOR AND THE HOUSE

Senator Gronstal moved that the Secretary of the Senate be directed to send a written message to the Governor and the House of Representatives informing them that the Senate was organized and ready to transact business and receive any messages that they may transmit.

The motion prevailed by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Wood, for the day, on request of Senator Gronstal.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has, pursuant to Article Three, Sections Two and Sixteen of the Iowa Constitution, duly organized for the Extraordinary Session of the Eighty-First General Assembly and is ready to receive communications from the Senate.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:11 a.m. until the completion of a meeting of the committee on Rules and Administration.

APPENDIX — 1**REPORT OF COMMITTEE MEETING****RULES AND ADMINISTRATION**

Convened: July 14, 2006, 10:12 a.m.

Members Present: Gronstal and Lundby, Co-chairs; Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan.

Members Absent: None.

Committee Business: Approved SCR ex, LSB 6738sv, and LSB 6739sv.

Adjourned: 10:15 a.m.

FINAL COMMITTEE REPORTS OF BILL ACTION**RULES AND ADMINISTRATION**

Bill Title: [SENATE CONCURRENT RESOLUTION 107](#), a Senate concurrent resolution to provide for adjournment sine die.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Gronstal, Lundby, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 171](#), a resolution honoring Senator Stewart E. Iverson, Jr., for his years of service in the General Assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Gronstal, Lundby, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 172](#), a resolution honoring Senator Margaret Tinsman for her years of service in the Iowa Senate.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Gronstal, Lundby, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RECONVENED

The Senate reconvened at 10:16 a.m., President Lamberti presiding.

INTRODUCTION OF RESOLUTIONS

[Senate Concurrent Resolution 107](#), by committee on Rules and Administration, a Senate concurrent resolution to provide for adjournment sine die.

Read first time and **placed on calendar**.

[Senate Resolution 171](#), by committee on Rules and Administration, a resolution honoring Senator Stewart E. Iverson, Jr., for his years of service in the General Assembly.

Read first time and **placed on calendar**.

[Senate Resolution 172](#), by committee on Rules and Administration, a resolution honoring Senator Margaret Tinsman for her years of service in the Iowa Senate.

Read first time and **placed on calendar**.

The Senate stood at ease at 10:23 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 12:07 p.m., President Lamberti presiding.

SPECIAL GUESTS

Senator Lundby introduced to the Senate chamber her husband Michael and her nephew, Michael Jensen, from Phoenix, Arizona, who were visiting the Senate.

The Senate rose and expressed its welcome.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on July 14, 2006, in accordance with Article III, sections 2 and 16, of the Constitution of the State of Iowa, upon reconsideration following receipt of the Governor's objections, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 2351](#), a bill for an act relating to government authority, including eminent domain authority and condemnation procedures, and other properly related matters, and including effective and applicability provisions.

CONSIDERATION OF RESOLUTION
(Regular Calendar)[Senate Resolution 172](#)

Senator Mulder asked and received unanimous consent to take up the following resolution:

1 [SENATE RESOLUTION 172](#)
2 By: Committee on Rules and Administration
3 A resolution honoring Senator Margaret Tinsman for
4 her years of service in the Iowa Senate.
5 WHEREAS, the Honorable Margaret Tinsman, State
6 Senator, is retiring from a legislative career that
7 began with her election to the 73rd General Assembly;
8 and
9 WHEREAS, already a local government official and a
10 community activist, Senator Tinsman began her
11 senatorial career in 1989, specializing in the areas
12 of human services, public health, and education; and
13 WHEREAS, from 1991 through 1996, Senator Tinsman
14 served as an Assistant Minority Leader; and
15 WHEREAS, in 1995, Senator Tinsman served as the
16 ranking member of the Health and Human Rights
17 Appropriations Subcommittee and as a member of the

18 Committees on Appropriations, Education, Human
19 Resources, and Local Government; and
20 WHEREAS, in 1997, Senator Tinsman became the chair
21 of the Human Services Appropriations Subcommittee,
22 keeping that position until 2005, then becoming
23 co-chair of that subcommittee when the Senate's
24 membership became evenly divided; and
25 WHEREAS, Senator Tinsman served on a variety of
26 other standing committees throughout her years in the
27 Senate, including the Committees on Human Resources;
28 Education; Judiciary; State Government; and Small
29 Business, Economic Development and Tourism; and
30 WHEREAS, it is in the area of human services that

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1 the work of Senator Tinsman will best be remembered,
2 where she worked with vision and dedication to provide
3 health care, opportunity, and hope to the less
4 advantaged; NOW THEREFORE,
5 BE IT RESOLVED BY THE SENATE, That the Senate
6 thanks Senator Margaret Tinsman, better known as
7 "Maggie", for her years of service in the Iowa Senate
8 and wishes her the very best in the years to come; and
9 BE IT FURTHER RESOLVED, That the Secretary of the
10 Senate is directed to prepare an official copy of this
11 Resolution for presentation to Senator Tinsman.

Senator Mulder moved the adoption of [Senate Resolution 172](#),
which motion prevailed by a voice vote.

Senator Tinsman addressed the Senate with brief remarks.

The Senate rose and expressed its tribute to Senator Tinsman.

Senator Tinsman was presented an enrolled copy of [Senate Resolution 172](#).

CONSIDERATION OF RESOLUTION (Regular Calendar)

[Senate Resolution 171](#)

Senator Boettger asked and received unanimous consent to take
up the following resolution:

1 [SENATE RESOLUTION 171](#)
2 By: Committee on Rules and Administration
3 A resolution honoring Senator Stewart E. Iverson, Jr.,
4 for his years of service in the General Assembly.

5 WHEREAS, Senator Stewart E. Iverson, Jr., known to
6 all as "Stew", is retiring from a legislative career
7 that began in the second regular session of the 73rd
8 General Assembly; and
9 WHEREAS, Senator Iverson, a lifelong Iowa farmer
10 and former United States Marine, began his legislative
11 career as a member of the House of Representatives,
12 first winning election in 1989; and
13 WHEREAS, in those first years Senator Iverson
14 specialized in the areas of education and local
15 government, serving as chair of the Committee on Local
16 Government in 1993-1994; and
17 WHEREAS, on entering the Senate in 1995, Senator
18 Iverson served as the ranking member of the Justice
19 System Appropriations Subcommittee and as a member of
20 the Committees on Appropriations, Business and Labor,
21 Education, and Ways and Means; and
22 WHEREAS, in 1997, Senator Iverson was elected
23 Senate Majority Leader and in 2005 assumed the role of
24 Republican Floor Leader in the Senate when that
25 chamber's membership became evenly divided; and
26 WHEREAS, Senator Iverson has served as chair and
27 later co-chair of the Committee on Rules and
28 Administration from 1997 through 2006; and
29 WHEREAS, Senator Iverson fought for Iowa's
30 families, Iowa's farmers, and Iowa's businesses, has

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1 been an influential and devoted legislator in this
2 state, and has unselfishly given of his time and
3 efforts to further the interests of the State of Iowa
4 and to provide beneficial programs for the citizens of
5 Iowa; NOW THEREFORE,
6 BE IT RESOLVED BY THE SENATE, That the Senate
7 thanks Senator Stewart E. Iverson, Jr., for his years
8 of service in both the House of Representatives and
9 the Senate, and wishes him the very best in the years
10 to come; and
11 BE IT FURTHER RESOLVED, That the Secretary of the
12 Senate is directed to prepare an official copy of this
13 Resolution for presentation to Senator Iverson.

Senator Boettger moved the adoption of [Senate Resolution 171](#),
which motion prevailed by a voice vote.

Senator Iverson addressed the Senate with brief remarks.

The Senate rose and expressed its tribute to Senator Iverson.

Senator Iverson was presented an enrolled copy of [Senate Resolution 171](#).

MOTION TO OVERRIDE GOVERNOR'S VETO

Senator Kreiman called up for consideration [House File 2351](#), a bill for an act relating to government authority, including eminent domain authority and condemnation procedures, and other properly related matters, and including effective and applicability provisions, and moved to reconsider and pass the bill, the objections of the Governor notwithstanding, as vetoed by the Governor on June 2, 2006.

President Pro Tempore McKibben took the chair at 2:08 p.m.

President Lamberti took the chair at 2:25 p.m.

Senator Kreiman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the Senate on reconsideration, agree to pass the bill, the objections of the Governor notwithstanding?" ([H.F. 2351](#)), the vote was:

Yeas, 41:

Angelo	Hancock	McCoy	Shull
Beall	Horn	McKibben	Stewart
Behn	Houser	McKinley	Tinsman
Black	Iverson	Miller	Ward
Boettger	Johnson	Mulder	Warnstadt
Brunkhorst	Kettering	Putney	Wieck
Courtney	Kibbie	Ragan	Zaun
Danielson	Kreiman	Rielly	Zieman
Gaskill	Lamberti	Schoenjahn	
Gronstal	Larson	Seng	
Hahn	Lundby	Seymour	

Nays, 8:

Bolkcom	Dearden	Dvorsky	Hatch
Connolly	Dotzler	Fraise	Quirmbach

Absent, 1:

Wood

The motion having received a constitutional two-thirds majority, was declared to have passed the Senate, notwithstanding the objections of the Governor, and the title was agreed to. The Governor's veto was overridden.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House File 2351](#) be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Concurrent Resolution 107](#).

[Senate Concurrent Resolution 107](#)

On motion of Senator Gronstal, [Senate Concurrent Resolution 107](#), a Senate concurrent resolution to provide for adjournment sine die, was taken up for consideration.

Senator Gronstal moved the adoption of [Senate Concurrent Resolution 107](#), which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate Concurrent Resolution 107](#) be **immediately messaged** to the House.

SECRETARY TO NOTIFY THE
GOVERNOR AND THE HOUSE

Senator Gronstal moved that the Secretary of the Senate be directed to send the written message to the Governor and the House of Representatives informing them that the Senate was prepared to adjourn in accordance with [Senate Concurrent Resolution 107](#).

The motion prevailed by a voice vote.

MOTION TO ADJOURN ADOPTED

Senator Gronstal moved that the 2006 Extraordinary Session of the Eighty-first General Assembly adjourn sine die in accordance with [Senate Concurrent Resolution 107](#), duly adopted.

The motion prevailed by a voice vote.

FINAL ADJOURNMENT

By virtue of [Senate Concurrent Resolution 107](#), duly adopted, the day of July 14, 2006, having arrived, President Lamberti declared the 2006 Extraordinary Session of the Eighty-first General Assembly adjourned sine die.

APPENDIX — 2

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on July 14, 2006, when the vote was taken on [House File 2351](#). Had I been present, I would have voted "Yea."

FRANK B. WOOD

HOUSE MESSAGES RECEIVED SUBSEQUENT TO ADJOURNMENT

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on July 14, 2006, **adopted** the following resolution in which the concurrence of the House was asked:

[Senate Concurrent Resolution 107](#), a Senate concurrent resolution to provide for adjournment sine die.

ALSO:

MR. PRESIDENT: The House is prepared to adjourn the 2006 Extraordinary Session of the Eighty-First General Assembly pursuant to [Senate Concurrent Resolution 107](#) duly adopted.